

# CITY OF HORSESHOE BAY

## CITY COUNCIL PUBLIC MEETING

May 27, 2008

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, May 27, 2008, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor  
James E. Babcock, Mayor Pro Tem  
John Bird, Alderman  
Claudia Haydon, Alderwoman  
Richard Rantzow, Alderman  
Jeff Robinson, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Mayor Lambert deferred the prayer and pledges until Reverend Johnny White arrived.
2. Introduction of Stan Farmer, City Manager: Mayor Lambert introduced Stan Farmer as the new City Manager of Horseshoe Bay stating he is a graduate of MacArthur High School in San Antonio and the University of Texas at Austin. He served in the U.S. Marine Corp and was stationed in North Carolina at the time of his discharge and decided to stay there. He attended Appalachian State University where he received his Master of Public Administration degree and has spent the last 5-1/2 years as a city manager in North Carolina. He has two teenage daughters who are looking forward to the move to Horseshoe Bay.
3. Comments from Mayor: Mayor Lambert thanked everyone for coming to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium. Mayor Lambert said the Council held a workshop this morning on the Horseshoe Bay POA streets. It was attended by all but one of the HSB POA board members who he thanked for attending. He said he felt they made good progress and exchanged a lot of ideas. Mayor Lambert said the Council would probably hold another workshop in the next few weeks. He said this is the first time the two organizations have met formally to discuss the streets.
4. Comments from Aldermen: Alderman Robinson said he had sent a letter to all of the interested parties as listed on the resolution adopted at the April 15, 2008 Council meeting concerning high speed internet, cable television and telephone services. The City is trying to get improved service for the citizens of Horseshoe Bay as well as help the Llano School District. He said a copy of the letter will also be sent to the Texas Municipal League who is

the cities' official lobbyist representatives to the state legislature. Alderman Robinson also said he has had discussions with Fire Chief Jim Fiero regarding the fact that much smaller states with a smaller population than Texas receive more grants and they plan to write to the two U.S. Senators regarding this issue. He then thanked the staff for the new binders for the council packets.

Reverend Johnny White, from the Church at Horseshoe Bay led the invocation. Mayor Lambert led the pledge of allegiance to the United States Flag and the Texas Flag.

Stan Farmer thanked the Mayor and Council for this opportunity and said he has enjoyed getting to know people in the community and hopes to build long lasting friendships. He then presented Mayor Lambert with a Certificate of Appreciation from the staff thanking him for his work as City Manager. Mayor Lambert thanked the staff and said it was a great experience for him; he learned a lot and worked with a lot of great people.

Alderman Rantzow asked Chief of Police Bill Lane if the City had heard anything from TxDOT regarding the request to lower the speed limit on Hwy. 1431 to 45 m.p.h. Chief Lane said the request had been sent to the state, but he had no idea how long it might take them to respond.

5. Public Comments: There were no public comments.

6. Staff Service Award

a. Luis Rodriguez – 30 years

Mayor Lambert presented Luis Rodriguez with a plaque thanking him for his 30 years of service to Lake LBJ MUD and the City of Horseshoe Bay.

7. Items to be Removed from the Consent Agenda: Mayor Lambert asked the Council if there were any items they would like to remove from the consent agenda. There were none.

8. Consent Agenda:

a. Minutes of the April 15, 2008 Public Meeting.

b. Final Plats:

i. Replat of Lot No. 7076, Horseshoe Bay Plat No. 7.1 (1219-1221 Hi Circle North)

ii. Replat of Lot No. W14022, Horseshoe Bay West Plat No. 14.1 (NW corner of Broken Hills at Hi Valley)

iii. Replat of Lot Nos. W29001-1A and W29002-5A, Horseshoe Bay West Plat No. 29.17 and Unit 6, Fault Line Cove Garden Homes Condominiums (Fault Line Drive)

c. Resolution Conducting the Annual Review of the City's Investment Policy and Adopting Amendments Thereto

d. Resolution Appointing Investment Officer

e. Sign Ordinance Amendment to Prohibit Electronic Light Emitting Diode (LED) Signs

f. Renewal of Contract for City Building Inspector

g. General Fund Budget Amendments:

- i. Line Item Transfer of \$9,000 from Contingency to Codification of Ordinances
- ii. Line Item Transfer of \$14,440 from Contingency to Recruitment
- h. Utility Conveyance Agreement Form

Alderman Robinson made the motion to approve the Consent Agenda. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).

9. Monthly Staff Reports: City Manager Stan Farmer said the monthly reports reflect all the hard work of the department heads and their staff on a day to day basis for the taxpayer in Horseshoe Bay. He wanted to note under Public Works that Chris Carter was successful in passing the Class B Wastewater examination and will be issued a Class B Wastewater license. Also, Public Works Director, Jerry Lovelady held a training class for five of his employees who received 20 hours of TCEQ credit toward water and wastewater license renewal. This was held at the Central Water Plant at a considerable savings to the City. Mr. Lovelady is a TCEQ approved instructor and he thanked Jerry. Mr. Farmer wanted to recognize Stephanie Black from the Fire Department for being accepted to the National Fire Academy in Emmitsburg, M.D. for the fall course. Alderman Robinson asked Police Chief Bill Lane about the increase in year to date figures for various items on his report. Chief Lane stated overall he feels the numbers are about average. At Alderman Rantzow's request, Jerry Lovelady gave a report on the status of the force main replacement line.
10. 1<sup>st</sup> and 2<sup>nd</sup> Public Hearings Regarding Annexation Proceedings to Enlarge and Extend the Boundary Limits of the City to Include the 5.44 acre Horseshoe Bay Center (Formerly Space Center – FM 2147): Mayor Lambert convened the first public hearing regarding the annexation proceedings at 3:18 p.m. He asked if there were any comments, there were none and he adjourned the public hearing. He then convened the second public hearing at 3:19 p.m. and asked if there were any comments, there were none and he adjourned the public hearing. Mayor Lambert said this item will be considered for final approval at the June 17, 2008 Council meeting.
11. Continuation of Public Hearing and Consideration Regarding a Zoning Ordinance Amendment to Rezone Lot Nos. 34001, 34019 and 34020 of Plat 34.1 (600 Hi Circle North/609 Fire Dance, 602 Hi Circle North and 606 Rio), Horseshoe Bay, Llano County, Texas, in Zone 4 from R-1 Single Family Residential to R-6 Multiple Family Residential: Mayor Lambert convened the public hearing at 3:22 p.m. that was continued from last month in order to assure proper notice was given to all surrounding property owners. He asked if there were any public comments. There were none, and he adjourned the public hearing. Alderman Babcock stated this property was originally zoned R-6; however it was inadvertently zoned as R-1 when the City was doing the plats. He explained it could have been Zoned R-1 if requested but there is no evidence this change was ever discussed. The owner of Lot Nos. 34019 and 34020 has requested that this error be corrected. After some discussion, Alderman Babcock made the motion to zone Lot Nos. 34019 and 34020 to R-6 as requested. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Alderman Babcock made the motion to deny the rezoning of Lot No. 34001 due to the fact no change has been requested by the owner at this time; however the owner of Lot No. 34001 can request the zoning change at a later date. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).

12. Junked Vehicle Ordinance
13. Substandard Buildings Ordinance: Mayor Lambert stated agenda items 12 and 13 would be discussed at the same time. In reviewing the City's current ordinance regarding enforcement capabilities, it was determined the City needed to have stronger enforcement in these two areas. Development Services Manager Eric Winter said these ordinances were drafted in accordance with state law regarding what municipalities can do for these type conditions to use for stronger code enforcement. Alderwoman Haydon made the motion to approve the Junked Vehicle Ordinance as presented. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Alderman Babcock made the motion to adopt the Substandard Buildings Ordinance with enhanced emphasis regarding slabs. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
14. Fireworks Ordinance Amendment to Allow Class C (smaller) Fireworks Displays – For Discussion Only: Mayor Lambert said this item is posted for discussion only and will be considered for adoption at the next Council meeting after allowing time for any comments from the Council and citizens regarding the change. Fire Chief Jim Fiero stated the City is attempting to authorize the use of smaller fireworks that are less than the professional grade allowed at this time. Class C is a Federal and State classification and includes everything other than the aerial fireworks done professionally. At this time the State has a licensing and permitting process for the Class B fireworks and the City is trying to regulate the smaller Class C fireworks use within the City. The City would issue the permit, it would have to be an aerial display and the site would have to be inspected and approved by the City. No approval would be given to any type fireworks in a densely built area. The only thing that would not have to be approved and permitted by the City would be sparklers. This item will be placed on the City's website for comments from citizens prior to consideration at the June 17, 2008 Council meeting.
15. Standard Operating Procedure for Burning Brush Piles: City Manager Stan Farmer said currently there is no Standard Operating Procedure for burning brush piles by City personnel. He stated this will establish exactly the procedure to follow when burning brush at the City's Recycle Center. Alderman Rantzow made the motion to approve the Standard Operating Procedure as written. The motion was seconded by Alderman Robinson. The motion was approved unanimously (5-0).
16. Brush Disposal Ordinance – For Discussion Only: Mayor Lambert said the Brush Disposal Ordinance is posted for discussion only. He would like to give time to discuss the proposed fees prior to consideration of this item. City Manager Stan Farmer said the City has a policy very similar to this ordinance that Lake LBJ MUD had used; however it appears it was never formally adopted by Lake LBJ MUD and therefore was not adopted by the City. City Attorney Akers added TCEQ allows this type of disposal only for residential brush and the City needs to make sure they adhere to this rule in order not to be required to get a solid waste permit. The City currently has a fee structure that is substantially less than the proposed fee schedule. The objective is to assure commercial contractors are not bringing brush from outside the City boundaries and disposing of it at the City's facility. The suggestion was made that possibly a civil penalty would be a better idea than increasing the fees. This item will be placed on the City's website for comments from citizens prior to consideration at the June 17, 2008 Council meeting.

17. Noise Ordinance – For Discussion Only: Mayor Lambert stated this item was the final ordinance presented to Council by the Lifestyle committee. There were some concerns that prevented approval at that time. Police Chief Bill Lane and Don Wood have been revisiting those concerns in an effort to resolve them to the satisfaction of all concerned. This item will be placed on the City's website for comments from citizens prior to consideration at the June 17, 2008 Council meeting.

18. Conduct a Public Hearing and Consideration of Preliminary Plats:

- a. Replat of La Serena Loop Adjacent to Lot Nos. 237 Through 244 of Escondido, Plat No. 2.1 to be Known as Escondido, Plat No. 2.3, 1.26 acres out of the John Bratton Survey No. 2, Abstract No. 39, Horseshoe Bay, Llano County, Texas
- b. Replat of Lot No. 25042, Horseshoe Bay Plat No. 25.1 and a 1,466 sq. ft. out of Tract KK-2, Horseshoe Bay Plat No. 54.1 to be known as Plat No. 25.11, Horseshoe Bay, Llano County, Texas (Between 1014 & 1020 Red Sails)
- c. Replat of Lot No. 18158-B, Horseshoe Bay Plat No. 18.14, Lot No. 17001-B, Horseshoe Bay Plat No. 17.19 and Lot No. 11017-C, Horseshoe Bay Plat No. 11.7 to be known as Plat No. 17.21, Horseshoe Bay, Llano County, Texas (101 Captains Row, Broken Arrow & Third Sid)
- d. Replat of Lot Nos. W5081 and W5082, Horseshoe Bay West Plat No. W5.1 to be known as Plat No. W5.7, Horseshoe Bay, Llano County, Texas (Between 102 & 108 Cliff Run)
- e. Replat of Lot No. 28030, Horseshoe Bay Plat No. 28.1, Horseshoe Bay, Llano County, Texas (500 Block of Free Rein)
- f. Replat of Lot Nos. K8095, K8096 and K8097, Horseshoe Bay South, Plat No. K8.1, Horseshoe Bay, Burnet County, Texas (Mountain Dew & Silver Dollar)

Mayor Lambert convened the public hearing at 4:18 p.m. and stated Tom Yantis had signed up to speak regarding item 18b. Mr. Yantis said he owns the house at 1014 Red Sail which is next to the lot requesting the replat. He is representing three of his neighbors today and their concern is the moving the property line out further toward the waterfront will cause the lot to not be compatible with the lots already developed in this area. They all worked with a 25 foot setback when building; however if this lot line is extended toward the water by the requested amount, this would allow a structure to be built closer to the water than his neighbors and could possibly obstruct the neighbors' view. Mayor Lambert asked if there were any further comments from the public. There were none and he adjourned the public hearing. The suggestion was made to approve this on a preliminary basis; however prior to granting final approval these issues could possibly be resolved by the affected parties. Alderman Rantzow made the motion to approve Item 18b. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0). Regarding Item 18e, the owner is requesting replatting Lot No. 28030 from one lot into two single family lots. Council discussed rezoning the lots from R-4 multi-family to R-1 single family. The owner will be contacted and if agreeable the rezoning will be the next possible agenda for consideration. Alderman Rantzow made the motion to approve the remaining five items. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0). Mayor Lambert said the City would initiate the zoning amendment for Item 18e.

19. Consideration Regarding Request For a Variance From the Sign Ordinance Size Requirement of 4' By 5' For a Wall Sign, to Allow a 3' By 8' Wall Sign For Keller Williams Realty at The Teeple Building 6400 FM 2147 West: After some discussion Alderman Babcock made the motion to approve the variance as requested. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
20. Schedule Additional Council Meetings or Workshops Regarding Streets in the City: HSB POA Board member, Mr. Tom Schmersahl complimented the Mayor and Council on scheduling and participating in this morning's workshop with the HSB POA in an effort to rekindle the discussion and possible action regarding the City taking ownership of the streets. Mayor Lambert stated at the end of this morning's meeting Council and the HSB POA Board discussed holding another workshop June 17, 2008 at 9:00 a.m. Alderwoman Haydon made the motion to schedule a Council workshop on June 17, 2008 at 9:00 a.m. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
21. Adjournment: Alderwoman Haydon made the motion to adjourn the meeting at 4:40 p.m. The motion was seconded by Alderman Robinson. The motion was approved unanimously (5-0).

APPROVED this 17<sup>th</sup> day of June, 2008.

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/S/  
**Robert W. Lambert, Mayor**

**ATTEST:**

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/S/  
**Teresa L. Moore, City Secretary**